

Updated Informative Digest

ADOPTION OF THE DIESEL EMISSION CONTROL STRATEGY VERIFICATION PROCEDURE, WARRANTY AND IN-USE COMPLIANCE REQUIREMENTS FOR ON-ROAD, OFF-ROAD, AND STATIONARY DIESEL- FUELED VEHICLES AND EQUIPMENT

Sections Affected: Proposed adoption of new sections 2700-2710, chapter 14, title 13, California Code of Regulations (“CCR”) and the procedures incorporated by reference therein. The following American Society for Testing and Materials methods for measuring fuel properties are incorporated therein by reference: D5453-93, D5186-96, D4629-96, D613-84, D287-82, D445-83, D93-80, and D86-96.

Background: In 1998 the Air Resources Board (“ARB” or “Board”) identified diesel particulate matter emissions from diesel-fueled engines as a toxic air contaminant (Title 17 CCR Section 93000). The ARB adopted the Diesel Risk Reduction Plan (“DRRP” or “Plan”) in 2000, which established the goal for reducing emissions from virtually all in-use diesel engines within the State of California by the year 2010. The methods for achieving the goals in the Plan include new, more stringent standards for all new diesel engines, the implementation of low-sulfur diesel fuel, and the use of diesel emission control strategies for in-use vehicles and equipment. After the ARB adopted the DRRP, it became apparent that a method for evaluating the performance of diesel emission control strategies for in-use engines would be needed. In response to that need, staff developed a verification procedure, warranty and in-use compliance requirements (the “Procedure”) which may be used to verify reductions of diesel particulate matter (“PM”) and/or oxides of nitrogen (“NOx”) achieved by a given diesel emission control strategy.

Description of Regulatory Action: The Procedure was adopted by the Board at the May 16, 2002 public hearing. Modifications to the adopted regulation were made available to the public in the Notice of Public Availability of Modified Text on January 29, 2003. The modifications and the rationale behind them are documented in that notice.

The Procedure specifies the information that manufacturers of diesel emission control strategies must submit to receive verification, and has the goal of ensuring that strategies used in California achieve both real and durable emission reductions. For a diesel emission control strategy to be verified, an applicant must perform emission reduction testing, conduct durability and field demonstrations, and submit the results along with other information in an application to ARB following a prescribed format. If, after reviewing the application, ARB verifies a diesel emission control strategy, it would issue an Executive Order to the applicant. The Executive Order would indicate the

verified emission reduction and any conditions that must be met for the diesel emission control strategy to function properly. The applicant would be required to provide a prescribed warranty to the end-user and to conduct in-use compliance testing.

Comparable Federal Regulations: The U.S. Environmental Protection Agency (U.S. EPA) has published a draft document, “Generic Verification Protocol for Diesel Exhaust Catalysts, Particulate Filters, and Engine Modification Control Technologies for Highway and Nonroad Use Diesel Engines,” but has not promulgated formal regulations for this verification protocol. The protocol is intended to support the voluntary retrofit programs initiated by the U.S. EPA, while the Procedure supports the ARB’s Diesel Risk Reduction Plan. There is significant overlapping between the two programs in terms of the test, durability, and in-use compliance requirements. As a result, manufacturers may coordinate with both agencies and submit one set of test data to fulfill the requirements of both procedures.